

UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH

In Re: Attorneys' Fees in Chapter 13 Cases

Case No. 06-50001

Chapter 13

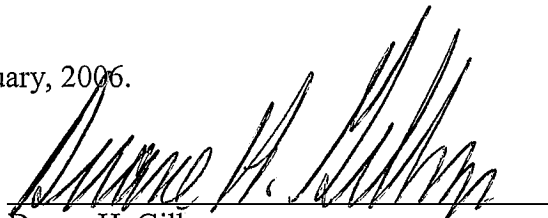
Debtor(s)

**STATEMENT OF DUANE H. GILLMAN REGARDING *EN BANC* HEARING RE:
PRESUMPTIVE DEBTORS ATTORNEYS' FEES IN CHAPTER 13 CASES**

Duane H. Gillman hereby submits the following statement for consideration at the *En Banc* Hearing Re: Presumptive Debtors Attorneys' Fees in Chapter 13 Cases:

1. I oppose the implementation of any presumptive fee amounts because 11 U.S.C. § 330(a)(4)(B) clearly requires the Court to consider and approve fees on a case-by-case basis.
2. All parties responding to the proposed presumptive attorneys' fees agree on one thing: the fees incurred by chapter 13 debtors for adequate representation are much higher than they have been in the past.
3. Therefore, the rationale underlying a presumptive fee amount (i.e., that the fee amount does not justify the time needed to prepare a fee application) no longer exists.
4. As a result, I respectfully request that fees and costs incurred by chapter 13 debtors' attorneys be approved by fee application on a case-by-case basis, rather than a presumptive fee amount, pursuant to 11 U.S.C. § 330(a)(4)(B).

DATED this 24th day of February, 2006.



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